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MARC A. LEVINSON, CSB NO. 57613  
CYNTHIA J. LARSEN, CSB NO. 123994  
**ORRICK, HERRINGTON & SUTCLIFFE LLP**  
400 Capitol Mall, Suite 3000  
Sacramento, California 95814-4497  
Telephone: (916) 329-4910  
Email: [malevinson@orrick.com](mailto:malevinson@orrick.com)  
[clarsen@orrick.com](mailto:clarsen@orrick.com)

HAGOP T. BEDOYAN, CSB NO. 131285  
LISA HOLDER, CSB NO. 217752  
**Klein, DeNatale, Goldner,  
Cooper, Rosenlieb & Kimball LLP**  
5260 N. Palm Avenue, Suite 201  
Fresno, California 93704  
Telephone: (559) 438-4374  
Facsimile: (661) 326-0418  
E-mail: [hbedoyan@kleinlaw.com](mailto:hbedoyan@kleinlaw.com)  
[lholler@kleinlaw.com](mailto:lholler@kleinlaw.com)

Attorneys for Healthcare Conglomerate Associates, LLC

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

In re:  
TULARE LOCAL HEALTHCARE DISTRICT  
dba TULARE REGIONAL MEDICAL  
CENTER,  
Debtor.

Case No.: 17-13797-9-B

DC No. WW-5

Chapter 9

**HEALTHCARE CONGLOMERATE  
ASSOCIATES, LLC'S LIMITED  
OPPOSITION TO MOTION FOR ORDER  
(1) DIRECTING AND APPROVING FORM  
OF NOTICE OF COMMENCEMENT; ETC.**

Date: November 16, 2017

Time: 9:30 a.m.

Place: Dept. B, Courtroom 13, 5<sup>th</sup> Fl.  
Fresno, CA

Judge: Hon. René Lastreto II

1 HealthCare Conglomerate Associates, LLC (“HCCA”) submits this limited opposition to  
2 the Motion For Entry Of An Order: (1) Directing And Approving Form Of Notice Of  
3 Commencement; (2) Setting Deadline For Filing Objections To Petition; And (3) For Relief  
4 Under Chapter 9 (“Motion” filed by “District” or “Debtor”). The Motion seeks approval of a  
5 form of notice of the commencement of the chapter 9 case that sets a deadline for objections and  
6 for approval of a publication schedule in light of Bankruptcy Code § 923. HCCA has no  
7 objection to the form of notice or to the publication schedule; its sole issue relates to the proposed  
8 December 22 objection deadline.

9 HCCA has not yet determined whether it will object to the District’s eligibility for a  
10 chapter 9 order for relief. While it agrees that the District is a municipality and that it is  
11 insolvent, thus satisfying Bankruptcy Code §§ 109(c)(1) and (c)(3), respectively, HCCA may  
12 need to conduct discovery, including propounding interrogatories and requests for admissions as  
13 well as taking depositions after the responses thereto, in order to decide whether to object to  
14 eligibility, contending that the District has failed to satisfy one or more of Bankruptcy Code §§  
15 109(c)(2), (c)(4), (c)(5) or 921(c). The December 22 objection deadline, five weeks and a day  
16 after the hearing on the Motion, is not enough time for discovery, particularly with the  
17 interposition of the Thanksgiving holiday and because, based on the history of conflict between  
18 the parties prior to and since the filing of this case, there may be discovery disputes that will  
19 require the intervention of this Court.

20 HCCA suggests that he objection deadline an additional four weeks to January 19, 2018;  
21 that would enable it to conduct discovery and determine whether to object.

22 Respectfully submitted.  
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Dated: November 14, 2017

ORRICK, HERRINGTON & SUTCLIFFE LLP  
and KLEIN, DENATALE, GOLDNER,  
COOPER, ROSENLIB & KIMBALL LLP

By:           /s/ Marc A. Levinson            
          MARC A. LEVINSON  
          Attorneys for Healthcare Conglomerate  
          Associates, LLC

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